

Please find below and/or attached an Office communication concerning this application or proceeding.

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|----------------------------------|-------------|---------------------|---------------------|------------------|
| APPLICATION NO. | FILING DATE | FIRST NAME/INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/911,264 | 07/23/2001 | Richard J. Markle | 2000-08280 | 4105 |
| 23720 7590 09/30/2003 | | | | |
| WILLIAMS, MORGAN & AMERSON, P.C. | | | | |
| 1033 RICHMOND, SUITE 1100 | | | | |
| HOUSTON, TX 77042 | | | | |
| VIN, LAN | | | | |
| EXAMINER | | | | |
| ART UNIT 1765 | | | | |
| PAPER NUMBER | | | | |
| DATE MAILED: 09/30/2003 | | | | |



UNITED STATES PATENT AND TRADEMARK OFFICE

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1) Notice of References Cited (PTO-892) 2) Notice of Drawings (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____

4) Interview Summary (PTO-413) Paper No(s) _____ 5) Notes or Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) Other _____

Attachment(s)

14) Acknowledgment is made of a claim for foreign language priority under 35 U.S.C. § 119(e) (to a provisional application).

15) The translation of the foreign language priority under 35 U.S.C. § 119(e) is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121.

Attachment(s)

See the attached detailed Office action for a list of the certified copies not received.

* See the application from the International Bureau (PCT Rule 17(2a)).

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17(2a)).

2. Certified copies of the priority documents have been received in Application No. _____.

1. Certified copies of the priority documents have been received.

a) All b) Some * c) None of.

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Priority under 35 U.S.C. §§ 119 and 120

12) The oath or declaration is objected to by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

11) The proposed drawing correction filed on _____ is: a) approved or b) disapproved by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

9) The specification is objected to by the Examiner.

Application Paper

8) Claims(s) 1-106 are subject to restriction and/or election requirement.

7) Claim(s) _____ is/are objected to.

6) Claim(s) _____ is/are rejected.

5) Claim(s) _____ is/are allowed.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

4) Claim(s) 1-106 is/are pending in the application.

Disposition of Claims

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.

2a) This action is FINAL. 2b) This action is non-FINAL.

Status

1) Responsive to communication(s) filed on 12/22/01.

2) This action is FINAL.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.

4) The mailing date of this application is 12/22/01.

5) The mailing date of this application is 12/22/01.

6) The mailing date of this application is 12/22/01.

7) The mailing date of this application is 12/22/01.

8) The mailing date of this application is 12/22/01.

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13) The mailing date of this application is 12/22/01.

14) The mailing date of this application is 12/22/01.

15) The mailing date of this application is 12/22/01.

Attachment(s)

Period for Reply

The MAILING DATE of this communication appends on the cover sheet with the correspondence address --

| Office Action Summary | | | |
|-----------------------|-----------------|----------|----------|
| Applicant(s) | Application No. | Examiner | Art Unit |
| MARKLE ET AL | 09/911,264 | Lan Vinh | 1766 |

THE MAILING DATE of this communication appends on the cover sheet with the correspondence address --

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1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
1. Claims 1-68, drawn to method of controlling at least one parameter of a
deposition/etching process, classified in class 438, subclass 706.
11. Claims 69-106, drawn to a system/apparatus, classified in class 156,
The inventions are distinct, each from the other because of the following reasons:
2. Inventions I and II are related as process and apparatus for its practice. The
inventions are distinct if it can be shown that either: (1) the process as claimed can be
practiced by another materially different apparatus or by hand, or (2) the apparatus as
claimed can be used to practice another and materially different process. (MPEP §
806.05(e)). In this case the system/apparatus as claimed can be used to practice
another and materially different process such as a process of managing contamination
of CMP for semiconductor wafer during chemical/mechanical process.
3. Because these inventions are distinct for the reasons given above and have
acquired a separate status in the art as shown by their different classification, restriction
for examination purposes as indicated is proper.
4. Because these inventions are distinct for the reasons given above and the search
required for Group I is not required for Group II, restriction for examination purposes as
indicated is proper.

Election/Restrictions

September 29, 2003

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for the organization where this application or proceeding is assigned is (703) 872-9306.

supervisor, Nadine Norton can be reached on 703 305-2667. The fax phone number of the supervisor, Nadine Norton can be reached on 703 305-2667. The fax phone number

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

The examiner can normally be reached on M-F 8:30-5:30 PM.

examiner should be directed to Lan Vinh whose telephone number is 703 305-6302.

6. Any inquiry concerning this communication or earlier communications from the

Conclusion

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

(37 CFR 1.143).

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed made.

election to the above restriction requirement, but did not result in an election being made.

5. A telephone call was made to J. Mike Amerson on 9/25/2003 to request an oral

At Unit: 1765

Application/Control Number: 09/911,264